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OFFICE OF THE ASSISTANT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re patent application of)
Morton Silverberg et al.) Group Art Unit:
Serial No.: 459,058) Attorney Docket: C-612
Filed: December 29, 1989) Examiner:
For: COMBINED PRINTER AND) Date: *MULCH, 5, 1990*
FACSIMILE APPARATUS)
AND METHOD FOR THE USE)
THEREOF)

PETITION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

S I R:

Applicant hereby respectfully petitions that the subject application be granted a filing date of December 29, 1989.

Applicant, by the undersigned attorney makes the following statements in support of this petition.

1. On December 29, 1989 the subject application was mailed by Express Mail, certificate no. B800533185W, in accordance with the provisions of Rule 10.

2. On January 25, 1990 Applicant received a Notice of Incomplete Application, dated January 22, 1990, advising that page 19 of the specification of the subject application was missing.

3. Applicant has submitted, on even date herewith, the missing page in accordance with the provisions of the above mentioned notice.

4. Applicant respectfully submits that the supposedly missing page 19 was not necessary for a filing date. Page 19 consisted of claims 1 and 2 and a portion of claim 3. However at least one independent claim was included in the

specification on page 20, to wit claim 5. Accordingly the subject application satisfied the provisions of Rule 53 as of December 29, 1989 and is entitled to that date as its filing date. A copy of pages 19 and 20 are attached.

5. Alternatively applicant respectfully submits that the subject application was complete as filed. A Declaration by the secretary who mailed the subject application is submitted in support of this statement.

6. In view of the above statements Applicant respectfully requests that the fee for this Petition be refunded.

Please charge any fee for this Petition, and refund any overpayment, to Deposit Account No. 16-1885.

Respectfully submitted,



Robert H. Whisker
Attorney for Applicant(s)
Reg. No. 27,844
Tel. No. (203) 351-7471

PITNEY BOWES INC.
World Headquarters
Stamford, CT 06926-0700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on Mar 5, '90
(Date of Deposit)

Robert H. Whisker, Reg. No. 27,844

Name of applicant, assignee, or Registered Rep.


Signature

Mar 5, '90
Date